

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANN M. PANNETTA**

**Plaintiff**

**v.**

**MILFORD CHRYSLER SALES INC.,  
FIRST NATIONAL BANK, MEMBERS  
ONLY AUTOMOTIVE, JANE DOE, and  
JOHN DOE**

**Defendants**

**CIVIL ACTION  
NO. 14-05680**

**ORDER**

**AND NOW**, this 23rd day of March, 2015, upon consideration of the Motions to Dismiss filed by Defendants Milford Chrysler Sales Inc. (Doc. No. 12) and First National Bank (Doc. No. 15), and Plaintiff Ann Pannetta's responses in opposition (Doc. Nos. 14 and 16), it is

**ORDERED** that:

1. First National Bank's Motion (Doc. No. 15) is **GRANTED**; Plaintiff's claim against First National Bank for violation of the Truth In Lending Act (Count I) is **DISMISSED WITH PREJUDICE**; Plaintiff's state law claims against First National Bank (Counts II, IV, and V) are **DISMISSED WITHOUT PREJUDICE**.
2. Milford Chrysler Sales Inc.'s Motion (Doc. No. 12) is **GRANTED IN PART AND DENIED IN PART**; Plaintiff's claims against Milford Chrysler Sales Inc. for negligence (Count IV) and negligent misrepresentation (Count V) are **DISMISSED WITH PREJUDICE**; Paragraphs 45 through 49 are **STRICKEN** from the First Amended Complaint; The Motion is **DENIED** in all other respects.

3. Milford Chrysler Sales Inc. shall file an Answer to the First Amended Complaint, consistent with this Order, by April 9, 2015.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.